

BROWN RUDNICK LLP

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Telephone: (212) 209-4800

Counsel for the Foreign Representatives

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	) Chapter 15 Case
)
FAIRFIELD SENTRY LIMITED, et al.,	) Case No. 10-13164 (SMB)
)
Debtors in Foreign Proceedings.	) Jointly Administered
)
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION))
and FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),)
acting by and through the Foreign Representatives thereof,)
and KENNETH KRYS and CHARLOTTE CAULFIELD,)
solely in their capacities as Foreign Representatives and	) Adv. Pro. No. 10-03635
Liquidators thereof,	) (SMB)
Plaintiffs,)
)
-against-)
)
ABN AMRO SCHWEIZ AG a/k/a ABN AMRO)
(SWITZERLAND) AG, ADLER AND CO PRIVATBANK)
AG, ALLIANZBANK SPA/UNIFORTUNE)
CONSERVATIVE SIDE POCKET, ALTERNATIVE)
INVESTMENT STRATEGIES, ARSENAL SPC,)
ARSENAL SPC OBO GLASGOW SEG PORT, BANCA)
ARNER SA, BANCA UNIONE DI CREDITO, BANK)
HAPOALIM SWITZERLAND LTD., BANK JULIUS)
BAER & CO. LTD., BANK SARASIN & CIE, BANQUE)
CANTONALE VAUDOISE, BANQUE CRAMER & CIE)
SA, BBVA (SUISSE) SA, BCV AMC Defensive AL Fund,)
BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex)
Fortis, BNP Paribas (Suisse) SA Private, BSI AG, BSI Ex)
Banca Del Gottardo, Caceis Bank Luxembourg, CBB)
(BVI)/ The Alkima Fund, CBT Gems Low Vol Reg,)
Compagnie Bancaire Helvetique, Centrum Bank AG)
(AMS), CLariden Leu Ltd., Corner Banca SA, Credit)
Suisse AG ZuRiCh, Dexia Banque International A,)
Luxembourg, Dresdner Bank Schweiz, EFG Bank SA)
Switzerland, EFG Eurofinancier D'Invest MCL,)

Endurance Absolute Ltd. Master, Fairfield Investment)
GCI, Fairfield Investment Fund Ltd., Falcon Private Bank,)
FIF Advanced Ltd., Finter Bank ZuRiCh, Harmony)
Capital Fund Ltd., HSBC, IHAG Handelsbank AG, Incore)
Bank AG, KARASEL ENHANCED PORTFOLIO, Karla)
Multistrategies Ltd., LGT Bank In Liechtenstein AG,)
Liechtensteinische LB Reinvest AMS, Lloyds TSB Bank)
Geneva, Lombard Odier Darier Hentsch & CIE, Longboat)
Ltd., Master Capital and Hedge Fund, NATIONAL BANK)
OF KUWAIT, NBK Banque Privee Suisse SA, Pictet &)
CIE, PKB Privatbank AG, Quasar FunDs SPC a/k/a)
QUASAR FUND SPC CLASS a and class b cgcnv, RBC)
Dexia Investor Service Julius Baer SICAV, RBS Coutts)
Bank Ltd., Richourt AAA Multistrategies, Rothschild)
Bank AG Zurich (Dublin) a/k/a ROTHSCCHILD BANK)
AG, Rothschild Bank Geneva (Dublin), Rothschild Lugano)
Dublin a/k/a BANCA PRIVATA EDMOND DE)
ROTHSCCHILD LUGANO S.A., Sella Bank AG, SIS)
Seeganintersettle, Six SIS Ltd., Societe Generale Bank &)
Trust, Soundview Fund, Swisscanto FD Centre Clients)
A/C, T1 Global Fund Ltd., UBS AG New York, UBS AG)
Zurich, UBS Jersey Nominees, Verwaltungs UND Privat-)
Bank AG Aktiengesellschaft (AMS), Vorarlberger Landes)
UND Hypothekenbank Aktiengesellschaft and)
BENEFICIAL OWNERS OF ACCOUNTS HELD IN THE)
NAME OF CGC NA 1-1000,)
)
)
Defendants.)

**REQUEST FOR ENTRY OF DEFAULT AGAINST
DEFENDANT BANCA UNIONE DI CREDITO**

**TO: CLERK OF THE COURT
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

Plaintiffs Kenneth M. Kryns and Charlotte Caulfield, in their capacities as the duly appointed Liquidators and Foreign Representatives of Fairfield Sentry Limited (In Liquidation) and Fairfield Sigma Limited (In Liquidation), by and through their undersigned counsel, respectfully request entry of default and execution of a certificate of default, pursuant to Bankruptcy Local Rule 7055-1, Federal Rule of Bankruptcy Procedure 7055, and Federal Rule of Civil Procedure 55, against Defendant Banca Unione di Credito for its failure to plead or

otherwise defend the above-captioned action, as fully appears from the court file herein and from the attached Declaration of David J. Molton.

Dated: New York, New York
October 10, 2017

Respectfully submitted,

BROWN RUDNICK LLP

By: /s/ David J. Molton
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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Chapter 15 Case
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FAIRFIELD SENTRY LIMITED, et al.,) Case No. 10-13164 (SMB)
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Debtors in Foreign Proceedings.) Jointly Administered
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FAIRFIELD SENTRY LIMITED (IN LIQUIDATION))
and FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),)
acting by and through the Foreign Representatives thereof,)
and KENNETH KRYS and CHARLOTTE CAULFIELD,)
solely in their capacities as Foreign Representatives and) Adv. Pro. No. 10-03635
Liquidators thereof,) (SMB)
Plaintiffs,)
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-against-)
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ABN AMRO SCHWEIZ AG a/k/a ABN AMRO)
(SWITZERLAND) AG, ADLER AND CO PRIVATBANK)
AG, ALLIANZBANK SPA/UNIFORTUNE)
CONSERVATIVE SIDE POCKET, ALTERNATIVE)
INVESTMENT STRATEGIES, ARSENAL SPC,)
ARSENAL SPC OBO GLASGOW SEG PORT, BANCA)
ARNER SA, BANCA UNIONE DI CREDITO, BANK)
HAPOALIM SWITZERLAND LTD., BANK JULIUS)
BAER & CO. LTD., BANK SARASIN & CIE, BANQUE)
CANTONALE VAUDOISE, BANQUE CRAMER & CIE)
SA, BBVA (SUISSE) SA, BCV AMC Defensive AL Fund,)
BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex)
Fortis, BNP Paribas (Suisse) SA Private, BSI AG, BSI Ex)
Banca Del Gottardo, Caceis Bank Luxembourg, CBB)
(BVI)/ The Alkima Fund, CBT Gems Low Vol Reg,)
Compagnie Bancaire Helvetique, Centrum Bank AG)
(AMS), CLariden Leu Ltd., Corner Banca SA, Credit)
Suisse AG ZuRiCh, Dexia Banque International A,)
Luxembourg, Dresdner Bank Schweiz, EFG Bank SA)
Switzerland, EFG Eurofinancier D'Invest MCL,)

Endurance Absolute Ltd. Master, Fairfield Investment)
GCI, Fairfield Investment Fund Ltd., Falcon Private Bank,)
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Capital Fund Ltd., HSBC, IHAG Handelsbank AG, Incore)
Bank AG, KARASEL ENHANCED PORTFOLIO, Karla)
Multistrategies Ltd., LGT Bank In Liechtenstein AG,)
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Dublin a/k/a BANCA PRIVATA EDMOND DE)
ROTHSCHILD LUGANO S.A., Sella Bank AG, SIS)
Seeganintersettle, Six SIS Ltd., Societe Generale Bank &)
Trust, Soundview Fund, Swisscanto FD Centre Clients)
A/C, T1 Global Fund Ltd., UBS AG New York, UBS AG)
Zurich, UBS Jersey Nominees, Verwaltungs UND Privat-)
Bank AG Aktiengesellschaft (AMS), Vorarlberger Landes)
UND Hypothekenbank Aktiengesellschaft and)
BENEFICIAL OWNERS OF ACCOUNTS HELD IN THE)
NAME OF CGC NA 1-1000,)
)
)
Defendants.)

**DECLARATION OF DAVID J. MOLTON
PURSUANT TO FED R. BANKR. P. RULE 7055**

I, DAVID J. MOLTON, make this declaration under 28 U.S.C. § 1746 and state as follows:

1. I am an attorney of record for Plaintiffs Kenneth M. Kryz and Charlotte Caulfield, in their capacities as the duly appointed Liquidators and Foreign Representatives (the “Liquidators” or “Plaintiffs”) of Fairfield Sentry Limited (In Liquidation) (“Sentry”) and Fairfield Sigma Limited (In Liquidation) (“Sigma”), in the above-referenced adversary proceeding. I am authorized to make this Declaration and have personal knowledge of the facts stated herein. I make this Declaration in support of Plaintiffs’ request that the Clerk of the Court

enter default and execute a Certificate of Default against Defendant Banca Unione di Credito (“Defendant”).

2. On April 20, 2010, Sentry commenced an action against Defendant in the Supreme Court of the State of New York by filing a Summons with Notice.

3. On July 22, 2010, the Court issued a decision and order recognizing the liquidation proceedings for Sentry, Sigma, and Fairfield Lambda Limited (In Liquidation) (“Lambda”), in the British Virgin Islands (the “BVI Liquidations”) as foreign main proceedings under Chapter 15 (the “United States Recognition Order”).

4. After the entry of the United States Recognition Order, on September 7, 2010, the New York state court action against Defendant was removed to the United States District Court for the Southern District of New York. By Order dated September 7, 2010, the action was then transferred to the United States Bankruptcy Court for the Southern District of New York [Dkt. No. 1]. The docket for this Adversary Proceeding was opened by the Bankruptcy Court on September 21, 2010.

5. Plaintiffs filed the original Complaint (the “Original Complaint”) against the Defendant on September 21, 2010 [Dkt. No. 8]. A Summons and Notice of Pre-Trial Conference in an Adversary Proceeding (the “Summons”) was duly issued to the Defendant by the Clerk of the Bankruptcy Court on October 4, 2010 [Dkt. No. 11].

6. On October 21, 2010, the Summons and Original Complaint were duly served on the Defendant via International Registered Mail by depositing same in an official depository under the exclusive care and custody of the United States Postal Service [Dkt. No. 54].¹

¹ The Subscription Agreement concerning these claims, to which Defendant is bound, provides that “Subscriber consents to the service of process out of any New York court in any such Proceeding by the mailing of copies thereof, by certified or registered mail, return receipt requested, addressed to the Subscriber at the address of Subscriber then appearing on the Fund’s records.” (Complaint, ¶ 19.)

7. By Order dated November 18, 2010, the Court consolidated certain adversary proceedings commenced by Plaintiffs, including this Adversary Proceeding (the “Adversary Proceedings”).

8. After consolidation, on January 10, 2011, Plaintiffs filed the First Amended Complaint (the “First Amended Complaint”) against the Defendant [Dkt. No. 67].

9. On January 26, 2011, the First Amended Complaint was duly served on the Defendant via International Registered Mail by depositing same in an official depository under the exclusive care and custody of the United States Postal Service [Dkt. No. 78].

10. On May 3, 2011, Plaintiffs filed the Second Amended Complaint (the “Complaint”) against the Defendant [Dkt. No. 86].

11. On May 10, 2011, the Complaint was duly served on the Defendant via International Registered Mail by depositing same in an official depository under the exclusive care and custody of the United States Postal Service. The Affidavits of Service evidencing service are on file in this adversary proceeding [Dkt. Nos. 54, 78 and 91] and are annexed hereto as **Exhibit A**.²

12. On October 19, 2011, the Court (Lifland, J.) issued an Order staying the Adversary Proceedings, including this Action, subject to certain exceptions enumerated therein (the “Stay Order”) [Consol. Adv. Pro. No. 10-03496, Dkt. No. 418], pending developments in connection with an appeal of certain orders and a judgment entered in proceedings before the

² Under the Order Establishing Case Management Procedures to Govern Redeemer Actions, filed on May 5, 2012 [Consol. Adv. Pro. No. 10-03496, Dkt. No. 467] (the “2012 CMO”), Plaintiffs were directed to serve on defendants in the Adversary Proceedings, only the initial complaint and summons. Plaintiffs were required to serve hard copies of any amended complaints only on “defendants being added to the action through such amendment.” (*Id.* ¶ 11.) Further, the 2012 CMO provided that “[n]o Affidavits of Service need be filed with the Court or served on any party, other than with respect to service of complaints and summonses pursuant to paragraph 11.” (*Id.* ¶ 12.)

British Virgin Islands High Court of Justice, Commercial Division (the “BVI Redeemer Actions”). The Stay Order had the effect of deferring to a later date the deadlines to move, answer, or otherwise respond to the complaints in the Adversary Proceedings. The Court revisited the move and answer deadlines in July 2016 as described below.

13. Plaintiffs filed the Third Amended Complaint against the Defendant on July 20, 2012 [Dkt. No. 121].

14. On July 7, 2016, following the issuance of a decision in the BVI Redeemer Actions, the Liquidators sought a status conference to lift the stay and proceed with the Adversary Proceedings. [Consol. Adv. Pro. No. 10-03496, Dkt. No. 897].

15. A status conference was held by the Court on July 27, 2016, at which time Plaintiffs sought permission to proceed with the amendment of certain complaints, including the complaint against Defendant. At the status conference, the Court directed Plaintiffs to file the proposed amended complaints and directed the parties to meet and confer after the proposed amended complaints were filed as to a schedule for briefing. [Consol. Adv. Pro. No. 10-3496, Dkt. No. 906, at 69:18-21, 73:2-6.]

16. Pursuant to the directive of the Court, on September 20, 2016, Plaintiffs filed the Proposed Fourth Amended Complaint against Defendant. On October 18, 2016, counsel for Plaintiffs and certain appearing defendants presented to the Court a joint supplemental case management order setting forth an integrated briefing schedule for: (a) Plaintiffs’ motion for leave to file amended complaints; and (b) motions to dismiss to be filed by defendants in the Adversary Proceedings. The proposed joint supplemental case management order provided non-appearing defendants with an opportunity to participate in the motion practice. On October 21, 2016, the Court signed the Supplemental Case Management Order (the “Supplemental CMO”). [Consol. Dkt. Adv. Pro. No. 10-03496, No. 918].

17. The Court set the following deadlines in the Supplemental CMO, *inter alia*:

- a. January 13, 2017, for the defendants to file a consolidated motion to dismiss; and
- b. January 27, 2017, for all defendants to file an individual or supplemental motion to dismiss, or to join the consolidated motion to dismiss.³

18. The Supplemental CMO also provides that “[n]othing in this [Supplemental CMO] shall limit Plaintiffs’ rights, if any, with respect to any Defendant that fails to appear or move to dismiss (or join the Motion to Dismiss) by January 27, 2017, including but not limited to seeking entries of default” See Supplemental CMO, ¶ III.C.

19. Defendant has not appeared in this Adversary Proceeding, nor has it filed an answer or otherwise responded to the Complaint. The time for Defendant to answer, move to dismiss, join the Consolidated Motion to Dismiss, or otherwise respond to the Complaint under the Supplemental CMO has now expired.

20. The Defendant is neither an infant, in the military, nor an incompetent person.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 10, 2017 at New York, New York.

/s/ David J. Molton

David J. Molton

³ Pursuant to the Supplemental CMO, “[a]ny Defendant properly served that fails to move to dismiss (or join the Motion to Dismiss) on or before January 27, 2017 shall not be permitted to later move to dismiss (or join the Motion to Dismiss) unless such Defendant seeks leave from this Court and good cause is shown by such Defendant for its failure to timely move.” See Supplemental CMO, ¶ I.F.

EXHIBIT A

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(212) 209-4800
David J. Molton
May Orenstein
Daniel J. Saval
Kerry Quinn

Attorneys for the Foreign Representatives

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Chapter 15 Case
Fairfield Sentry Limited, et al.,	)	Case No. 10-13164 (BRL)
Debtors in Foreign Proceedings.	)	Jointly Administered
)	
Fairfield Sentry Limited (In Official Liquidation), acting by and through the Foreign Representatives thereof,	)	Adv. Pro. No. 10-3635
Plaintiffs,)	
-against-)	
ABN AMRO Schweiz AG, Adler and Co Privatbank AG, Allianzbank SPA/Unifortune Conservative Side Pocket, Alternative Investment Strategies, Arsenal SPC, Arsenal SPC OBO Glasgow SEG Port, Banca Arner SA, Banca Unione Di Credito, Bank Hapoalim Switzerland Ltd., Bank Julius Baer & Co. Ltd., Bank Sarasin & CIE, Banque Cantonale Vaudoise, Banque Cramer & CIE SA, Banque Safdie SA, Barclay's Bank PLC Singapore Wealth, BBH Lux Guardian II, BBH Lux Ref Fairfield GRN, Bbva (Suisse) SA, BCV AMC Defensive AL Fund, BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex)	

Fortis, BNP Paribas (Suisse) SA Private,)
BSI AG, BSI Ex Banca Del Gottardo, Caceis)
Bank Luxembourg, CBB (BVI)/ The Alkima)
Fund, CBT Gems Low Vol Reg, Compagnie)
Bancaire Helvetique, Centrum Bank AG)
(AMS), Fidulex Managament Inc, Lariden)
Leu Ltd., Corner Banca SA, Credit Suisse)
AG Zuirch, Dexia Banque International A)
Luxembourg, Dresdner Bank Schweiz, EFG)
Bank SA Switzerland, EFG Eurofinancier)
D'Invest MCL, Endurance Absolute Ltd.)
Master, Fairfield Investment GCI, Fairfield)
Investment Fund Ltd., Fairfield Masters)
Ltd., Falcon Private Bank, FCL IFP Global)
Diversified CLS, FIF Advanced Ltd., Finter)
Bank Zuirch, Harmony Capital Fund Ltd.,)
IHAG Handelsbank AG, Incore Bank AG,)
JP Morgan (Suisse) SA, Karla)
Multistrategies Ltd., KBC Investments)
LTD., LGT Bank In Liechtenstein AG,)
Liechtensteinische LB Reinvest AMS,)
Lloyds TSB Bank Geneva, Lombard Odier)
Darier Hentsch & CIE, Longboat Ltd.,)
Master Capital and Hedge Fund, NBK)
Banque Privee Suisse SA, Pictet & CIE,)
PKB Privatbank AG, Private Space Ltd.,)
Quasar Funs SPC, RBC Dexia Investor)
Service Julius Baer SICAV, RBS Coutts)
Bank Ltd., Richourt AAA Multistrategies,)
Rothschold Bank AG Zurich (Dublin),)
Rothschild Bank Geneva (Dublin),)
Rothschild Lugano Dublin, Sella Bank AG,)
SIS Seeganintersettle, Six SIS Ltd., Societe)
Generale Bank & Trust, Soundview Fund,)
Springer Fund of Funds Ltd., Swisscanto)
FD Centre Clients A/C, T1 Global Fund)
Ltd., Teorema Alternative Strategies, UBS)
AG New York, UBS AG Zurich, UBS Jersey)
Nominees, Verwaltungs UND Privat-Bank)
AG Aktiengesellschaft (AMS), Vorarlberger)
Landes UND Hypothekenbank)
Ankiengesellscharft and Beneficial Owners)
of the Accounts Held in the Name of CGC)
NA 1-1000,)
Defendants.)

AFFIDAVIT OF SERVICE

[illegible]

1. Christopher Michael Lau Kamg being duly sworn, deposes and says: I am not a party to the within action, am over 18 years of age and reside in Brooklyn, New York.

2. On the 20th day of October, 2010 I caused to be served a true and correct copy of the Complaint against ABN AMBRO Schweiz AG et al., filed in this proceeding, together with a copy of the Summons in an Adversary Proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

LGT Bank In Liechtenstein AG
c/o Citco Data Processing Services Ltd.
2600 Cork Airport Business Park
Kinsale Road
Cork Ireland

LGT Bank In Liechtenstein AG
c/o Citco Global Custody NV
Telestone 8 Teleport
Narritaweg 165
1043BW Amsterdam
The Netherlands

LGT Bank In Liechtenstein AG
Herrengasse 12
FL-9490 Vaduz
Leichtenstein

Liechtensteinische LB Reinvest AMS
c/o Liechtensteinische Landesbank AG
Städle 44
P. O. Box 384
9490 Vaduz, Liechtenstein

3. On the 21st day of October, 2010, I caused to be served a true and correct copy of the Complaint against ABN AMBRO Schweiz AG et al., filed in this proceeding, together with a copy of the Summons in an Adversary Proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

SEE ATTACHED SERVICE LIST

/s/ Christopher Michael Lau Kamg
Christopher Michael Lau Kamg

Sworn to before me this
22nd day of October, 2010.

/s/ Vicki Goldstein
Notary Public

No. 01G05078233
Qualified in Queens County
Commission Expires May 19, 2011

SERVICE LIST

ABN Amro Schweiz AG

c/o Citco Global Custody NV
c/o Citco Bank Nederland NV
Telestone 8 – Teleport
Narritaweg 165
1043BW Amsterdam
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ABN Amro Schweiz AG

c/o Citco Global Custody NV
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ABN Amro Schweiz AG

c/o ABN AMRO Private Banking (Switzerland)
Case postale 3026
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L-2014, Luxembourg

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Chapter 15 Case
)
FAIRFIELD SENTRY LIMITED, et al.,	) Case No. 10-13164
	) (BRL)
)
Debtors in Foreign Proceedings.	) Jointly
	) Administered
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION))
and FAIRFIELD SIGMA LIMITED (IN)
LIQUIDATION), acting by and through the Foreign)
Representatives thereof, and KENNETH KRYS and)
JOANNA LAU, solely in their capacities as Foreign	) Adv. Pro. No. 10-
Representatives and Liquidators thereof,	) 03635 (BRL)
)
Plaintiffs,)
)
-against-)
)
ABN AMRO SCHWEIZ AG a/k/a ABN AMRO)
(SWITZERLAND) AG, ADLER AND CO PRIVATBANK)
AG, ALLIANZBANK SPA/UNIFORTUNE)
CONSERVATIVE SIDE POCKET, ALTERNATIVE)
INVESTMENT STRATEGIES, ARSENAL SPC,)
ARSENAL SPC OBO GLASGOW SEG PORT, BANCA)
ARNER SA, BANCA UNIONE DI CREDITO, BANK)
HAPOALIM SWITZERLAND LTD., BANK JULIUS)
BAER & CO. LTD., BANK SARASIN & CIE, BANQUE)
CANTONALE VAUDOISE, BANQUE CRAMER & CIE)
SA, BANQUE SAFDIE SA, BARCLAY'S BANK PLC)
SINGAPORE WEALTH a/k/a BARCLAYS BANK PLC,)
BBH LUX GUARDIAN II a/k/a BROWN BROTHERS)
HARRIMAN, BBH LUX REF FAIRFIELD GRN, BBVA)
(SUISSE) SA, BCV AMC DEFENSIVE AL FUND, BNP)
PARIBAS (SUISSE) SA, BNP PARIBAS (SUISSE) SA EX)
FORTIS, BNP PARIBAS (SUISSE) SA PRIVATE, BSI)
AG, BSI EX BANCA DEL GOTTARDO, CACEIS BANK)

LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND,)
 CBT GEMS LOW VOL REG, COMPAGNIE)
 BANCAIRE HELVETIQUE, CENTRUM BANK AG)
 (AMS), CLARIDEN LEU LTD., CORNER BANCA SA,)
 CREDIT SUISSE AG ZURICH, DEXIA BANQUE)
 INTERNATIONAL A LUXEMBOURG, DRESDNER)
 BANK SCHWEIZ, EFG BANK SA SWITZERLAND,)
 EFG EUROFINANCIER D'INVEST MCL,)
 ENDURANCE ABSOLUTE LTD. MASTER,)
 FAIRFIELD INVESTMENT GCI, FAIRFIELD)
 INVESTMENT FUND LTD., FAIRFIELD MASTERS)
 LTD., FALCON PRIVATE BANK, FCL IFP GLOBAL)
 DIVERSIFIED CLS, FIF ADVANCED LTD., FINTER)
 BANK ZURICH, HARMONY CAPITAL FUND LTD.,)
 IHAG HANDELSBANK AG, INCORE BANK AG, JP)
 MORGAN (SUISSE) SA, KARLA MULTISTRATEGIES)
 LTD., KBC INVESTMENTS LTD., LGT BANK IN)
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 REINVEST AMS, LLOYDS TSB BANK GENEVA,)
 LOMBARD ODIER DARIER HENTSCH & CIE,)
 LONGBOAT LTD., MASTER CAPITAL AND HEDGE)
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 CIE, PKB PRIVATBANK AG, PRIVATE SPACE LTD.,)
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 CLASS A AND CLASS B CGCNV, RBC DEXIA)
 INVESTOR SERVICE JULIUS BAER SICAV, RBS)
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 ZURICH, UBS JERSEY NOMINEES, VERWALTUNGS)
 UND PRIVAT-BANK AG AKTIENGESELLSCHAFT)
 (AMS), VORARLBERGER LANDES UND)
 HYPOTHEKENBANK ANKIENGESELLSCHARFT and)
 BENEFICIAL OWNERS OF ACCOUNTS HELD IN)
 THE NAME OF CGC NA 1-1000,

Defendants.

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c/o Hapoalim U.S.A. Holding Company, Inc.
Attn: Roni Leshchinski, Chief Executive Officer
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Beneficial Owners of the Accounts Held in the Name of
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c/o Bank Hapoalim (Suisse) Ltd.
c/o Hapoalim U.S.A. Holding Company, Inc.
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4. On the 26th day of January, 2011, I caused to be served a true and correct copy of the First Amended Complaint against ABN AMBRO Schweiz AG a/k/a ABN AMRO (Switzerland) AG, et al., filed in this proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

SEE ATTACHED SERVICE LIST

/s/ Christopher Michael Lau Kamg
Christopher Michael Lau Kamg

Sworn to before me this
6th day of April, 2011.

/s/ Vicki A. Goldstein
Notary Public

No. 01G05078233
Qualified in Queens County
Commission Expires May 19, 2011

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Fairfield Masters Ltd.

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KBC Investments LTD

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Liechtensteinische LB Reinvest AMS

c/o Liechtensteinische Landesbank AG
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Societe Generale Bank & Trust

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Societe Generale Bank & Trust

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Liechtenstein

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Vorarlberger Landes Und Hypothekenbank Ankiengesellscharft

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Beneficial Owners Of The Accounts Held

In The Name Of CGC (NA) 1-1000

c/o Citco Global Securities Services Ltd
2600 Cork Airport Business Park
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Beneficial Owners Of The Accounts Held

In The Name Of CGC (NA) 1-1000

c/o Citco
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BROWN RUDNICK LLP

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212-209-4800

Attorneys for the Foreign Representatives

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	) Chapter 15 Case
)
FAIRFIELD SENTRY LIMITED, et al.,	) Case No. 10-13164
	) (BRL)
)
Debtors in Foreign Proceedings.	) Jointly Administered
)
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and)
FAIRFIELD SIGMA LIMITED (IN LIQUIDATION), acting)
by and through the Foreign Representatives thereof, and)
KENNETH KRYS and JOANNA LAU, solely in their)
capacities as Foreign Representatives and Liquidators	) Adv. Pro. No. 10-03635
thereof,	) (BRL)
)
Plaintiffs,)
)
-against-)
)
ABN AMRO SCHWEIZ AG a/k/a ABN AMRO)
(SWITZERLAND) AG, ADLER AND CO PRIVATBANK)
AG, ALLIANZBANK SPA/UNIFORTUNE)
CONSERVATIVE SIDE POCKET, ALTERNATIVE)
INVESTMENT STRATEGIES, ARSENAL SPC, ARSENAL)
SPC OBO GLASGOW SEG PORT, BANCA ARNER SA,)
BANCA UNIONE DI CREDITO, BANK HAPOALIM)
SWITZERLAND LTD., BANK JULIUS BAER & CO. LTD.,)
BANK SARASIN & CIE, BANQUE CANTONALE)
VAUDOISE, BANQUE CRAMER & CIE SA, BANQUE)
SAFDIE SA, BARCLAYS BANK PLC SINGAPORE)
WEALTH a/k/a BARCLAYS BANK, PLC, BBH LUX)
GUARDIAN II a/k/a BROWN BROTHERS HARRIMAN,)
BBH LUX REF FAIRFIELD GRN, BBVA (SUISSE) SA,)
BCV AMC DEFENSIVE AL FUND, BNP PARIBAS)
(SUISSE) SA, BNP PARIBAS (SUISSE) SA EX FORTIS,)
BNP PARIBAS (SUISSE) SA PRIVATE, BSI AG, BSI EX)
BANCA DEL GOTTARDO, CACEIS BANK)

LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, CBT)
 GEMS LOW VOL REG, COMPAGNIE BANCAIRE)
 HELVETIQUE, CENTRUM BANK AG (AMS), CLARIDEN)
 LEU LTD., CORNER BANCA SA, CREDIT SUISSE AG)
 ZURICH, DEXIA BANQUE INTERNATIONALE A)
 LUXEMBOURG, DRESNER BANK SCHWEIZ, EFG)
 BANK SA SWITZERLAND, EFG EUROFINANCIER)
 D'INVEST MCL, ENDURANCE ABSOLUTE LTD.)
 MASTER, FAIRFIELD INVESTMENT GCI, FAIRFIELD)
 INVESTMENT FUND LTD., FAIRFIELD MASTERS LTD.,)
 FALCON PRIVATE BANK, FCL IFP GLOBAL)
 DIVERSIFIED CLS, FIF ADVANCED LTD., FINTER)
 BANK ZURICH, HARMONY CAPITAL FUND LTD., IHAG)
 HANDELSBANK AG, INCORE BANK AG, JP MORGAN)
 (SUISSE) SA, KARASEL ENHANCED PORTFOLIO,)
 KARLA MULTISTRATEGIES LTD., KBC INVESTMENTS)
 LTD., LGT BANK IN LIECHTENSTEIN AG,)
 LIECHTENSTEINISCHE LB REINVEST AMS, LLOYDS)
 TSB BANK GENEVA, LOMBARD ODIER DARIER)
 HENTSCHE & CIE, LONGBOAT LTD., MASTER CAPITAL)
 AND HEDGE FUND, NATIONAL BANK OF KUWAIT,)
 NBK BANQUE PRIVEE SUISSE SA, PICTET & CIE, PKB)
 PRIVATBANK AG, PRIVATE SPACE LTD., QUASAR)
 FUNDS SPC a/k/a QUASAR FUND SPC CLASS A AND)
 CLASS B CGCNV, RBC DEXIA INVESTOR SERVICE)
 JULIUS BAER SICAV, RBS COUTTS BANK LTD.,)
 RICHOURT AAA MULTISTRATEGIES, ROTHSCHILD)
 BANK AG ZURICH (DUBLIN) a/k/a ROTHSCHILD BANK)
 AG, ROTHSCHILD BANK GENEVA (DUBLIN),)
 ROTHSCHILD LUGANO DUBLIN a/k/a BANCA PRIVATA)
 EDMOND DE ROTHSCHILD LUGANO S.A., SELLA)
 BANK AG, SIS SEEGANINTERSETTLE, SIX SIS LTD.,)
 SOCIETE GENERALE BANK & TRUST, SOUNDVIEW)
 FUND, SPRINGER FUND OF FUNDS LTD., SWISSCANTO)
 FD CENTRE CLIENTS A/C, T1 GLOBAL FUND LTD.,)
 TEOREMA ALTERNATIVE STRATEGIES, UBS AG NEW)
 YORK, UBS AG ZURICH, UBS JERSEY NOMINEES,)
 VERWALTUNGS UND PRIVAT-BANK AG)
 AKTIENGESELLSCHAFT (AMS), VORARLBERGER)
 LANDES UND HYPOTHEKENBANK)
 AKTIENGESELLSCHAFT and BENEFICIAL OWNERS)
 OF ACCOUNTS HELD IN THE NAME OF CGC NA 1-1000,)
)
 Defendants.)

Pg 683 of 104

STATE OF NEW YORK)

) SS.:

COUNTY OF NEW YORK)

1. Christopher Michael Lau Kamg being duly sworn, deposes and says: I am not a

2. On the 6th day of May, 2011, I caused to be delivered a true and correct copy of

Heather Kafele

Keith Palfin

Shearman & Sterling LLP

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Washington, DC 20004-2634

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John Scalzo

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and Defendant Teorema Alternative Strategies

Jon Murphy

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Jennifer C. Halter
Lisa D. Keith
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200 Park Avenue
New York, New York 1016600193
Counsel for Defendant UBS Jersey Nominees

3. On the 10th day of May, 2011, I caused to be served a true and correct copy of the Second Amended Complaint against ABN AMRO SCHWEIZ AG a/k/a ABN AMRO (SWITZERLAND) AG, et al., filed in this proceeding, by enclosing same in a postage pre-paid envelope to be delivered via Certified Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

Bank Hapoalim Switzerland Ltd.
c/o Hapoalim U.S.A. Holding Company, Inc.
Attn: Roni Leshchinski, Chief Executive Officer
1177 Ave Of The Americas
New York, New York 10036

KBC Investments LTD
140 East 45th Street, 42nd Floor
New York, New York 10017

Fairfield Investment GCI
Fairfield Greenwich Group
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Fairfield Masters Ltd.
Fairfield Greenwich Group
Finance Group

919 Third Avenue
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FIF Advanced Ltd.

Fairfield Greenwich Group
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New York 10022

4. On the 10th day of May, 2011, I caused to be served a true and correct copy of the Second Amended Complaint against ABN AMRO SCHWEIZ AG a/k/a ABN AMRO (SWITZERLAND) AG, et al., filed in this proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

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c/o Citco Bank Nederland NV
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Rothschild Bank Geneva (Dublin)

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Societe Generale Bank & Trust
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Springer Fund of Funds Ltd.

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Springer Fund of Funds Ltd

c/o Union Bancaire Privee Asset Mgt

P.O. Box HM 3399

Hamilton HM11

Bermuda

Swisscanto FD Centre Clients A/C

c/o Citco Data Processing Services Ltd.

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Swisscanto FD Centre Clients A/C

c/o Swisscanto Funds Centre Limited, 4th Floor

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United Kingdom

Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)

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Liechtenstein

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Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)

Im Zentrum
Vaduz FL-9490
Liechtenstein

Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft

Hypo-Passage 1
Bregenz, 6900
Austria

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Kinsale Road
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Narritaweg 165
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Vorarlberger Landes Und Hypothekenbank Ankiengesellschaft

Hypo-Passage 1

Bregenz 6900

Austria

Beneficial Owners Of The Accounts Held

In The Name Of CGC NA 1-1000

c/o Citco Global Custody NA

2600 Cork Airport Business Park

Kinsale Road

Cork, Ireland

Beneficial Owners Of The Accounts Held

In The Name Of CGC NA 1-1000

c/o Citco Global Custody NA

Telestone 8 – Teleport

Naritaweg 165

Amsterdam, 1043 BW

Netherlands

5. On the 27th day of May, 2011, I caused to be served a true and correct copy of the Second Amended Complaint against ABN AMRO SCHWEIZ AG a/k/a ABN AMRO (SWITZERLAND) AG, et al., filed in this proceeding, together with a copy of the Amended Summons in an Adversary Proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

Karasel Enhanced Portfolio

c/o Citco Global Custody N.V.

c/o Citco Data Processing Services Ltd.

2600 Cork Airport Business Park

Kinsale Road

Cork, Ireland

Karasel Enhanced Portfolio

c/o Citco Global Custody N.V.

c/o Citco Bank Nederland NV

Telestone 8 – Teleport

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1043BW Amsterdam
The Netherlands

National Bank of Kuwait

P. O. Box 95 Safat, 13001 Kuwait
Abdullah Al Ahmad Street, Sharq
State of Kuwait

National Bank of Kuwait

c/o Citco Global Custody N.V.
c/o Citco Bank Nederland NV
Telestone 8 – Teleport
Narritaweg 165
1043BW Amsterdam
The Netherlands

National Bank of Kuwait

c/o Citco Global Custody N.V.
c/o Citco Data Processing Services Ltd.
2600 Cork Airport Business Park
Kinsale Road
Cork, Ireland

/s/ Christopher Michael Lau Kamg
Christopher Michael Lau Kamg

Sworn to before me this
17th day of June, 2011.

/s/ Evelyn Gonzalez
Notary Public

No. 01GO5045489
Qualified In Queens County
Commission Expires June 19, 2011

